

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DIVISION OF PUBLIC UTILITIES AND CARRIERS**

**IN RE: RULES AND REGULATIONS ESTABLISHING NON-PROFIT)
AFFORDABLE HOUSING CERTIFICATION APPLICATION)
PROCESS AND ELIGIBILITY CRITERIA - AS REQUIRED) DOCKET NO. D-09-01
UNDER RHODE ISLAND GENERAL LAWS, SECTION)
39-26-2(19).)**

NOTICE OF RULEMAKING AND PUBLIC HEARING

The Rhode Island Division of Public Utilities and Carriers ("Division") will conduct a public hearing on **Monday, March 30, 2009 at 10:00 a.m.**, in the second-floor hearing room of the Division's office located at 89 Jefferson Boulevard, Warwick, Rhode Island, for the purpose of adopting new rules and regulations designed to assist the Division in implementing the requirements of Rhode Island General Laws, Section 39-26-2(19), as newly amended.

Rhode Island General Laws, Section 39-26-2(19) provides as follows:

"Non-profit affordable housing" shall mean a housing development or housing project as defined by section 42-55-3 undertaken by a non-profit entity where the residential units taking electric service are either in the same building in close proximity to the renewable energy source or, if not within the same building, are within one-half (1/2) of a mile radius from the renewable energy source: provided, however, that the application has been filed with and received by the division of public utilities and carriers and the division has certified the development or project as eligible. The division shall promulgate regulations setting forth an application process and eligibility criteria to assure that the net metering allowed will benefit low income residential electric customers only (R.I.G.L. § 39-26-2(19)).

In response to the foregoing statutory mandate, the Division has prepared "Rules and Regulations Establishing Non-Profit Affordable Housing Certification Application Process and Eligibility Criteria – As Required Under Rhode Island General Laws, Section 39-26-2(19)" and is conducting a public hearing for the purpose of affording interested persons an opportunity to offer data, views, or arguments on the matter.

A copy of the aforementioned Division's Rules and Regulations may be obtained in person at the Division, by mail by calling 941-4500, ext. 105, or may be accessed through the following link on the Division's website at:

http://www.ripuc.org/eventsactions/docket/D_09_01proposedNonprofitAHPRegulations.pdf

Interested persons wishing to offer data, views, or arguments on this matter may do so either orally on the day of the hearing, or in writing, by submitting their comments to the following address prior to the date of the public hearing:

John Spirito, Jr., Chief of Legal Services
Division of Public Utilities and Carriers
89 Jefferson Boulevard
Warwick, Rhode Island 02888

Inquiries regarding this matter may be directed to the Division's Rules Coordinator, Mr. Thomas Kogut, at 941-4500, Ext. 105.

Reference is made to R.I. Gen. Laws Chapters 42-35, 39-1 and 39-26, and specifically to: §§42-35-1, 42-35-2, 42-35-3, 42-35-4, 42-35-5, 39-1-15, 39-3-8, 39-3-9, 39-3-33, 39-1-38, 39-26-2(19), 39-26-6(g)(3) and 39-26-6(k).

THE DIVISION IS ACCESSIBLE TO THE HANDICAPPED. INDIVIDUALS REQUESTING INTERPRETER SERVICES FOR THE HEARING IMPAIRED MUST NOTIFY THE DIVISION BY CALLING 941-4500, EXT. 107, SEVENTY-TWO (72) HOURS IN ADVANCE OF THE HEARING DATE.

Thomas F. Ahern
Administrator
February 11, 2009